

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

GARY JAMAL WEBSTER, a/k/a "Jamal,"

Defendant

) Criminal No. 18-CR-10299-ADB
)
) Violations:
)
) Count One:
) Conspiracy to Distribute and Possess with
) Intent to Distribute Cocaine and 40 Grams or
) More of Fentanyl
) (21 U.S.C. § 846)
)
) Counts Two, Three, Four and Five:
) Distribution and Possession with Intent to
) Distribute Cocaine
) (21 U.S.C. § 841(a)(1); and 18 U.S.C. § 2)
)
) Count Six:
) Distribution and Possession with Intent to
) Distribute 40 Grams or More of Fentanyl
) (21 U.S.C. § 841(a)(1); and 18 U.S.C. § 2)
)
) Forfeiture Allegation:
) (21 U.S.C. § 853)
)

SUPERSEDING INDICTMENT

COUNT ONE

Conspiracy to Distribute and Possess with Intent to Distribute Cocaine and 40 Grams or More of
Fentanyl
(21 U.S.C. §§ 846, and 841(a)(1) and (b)(1)(B)(vi))

The Grand Jury charges:

From a time unknown to the Grand Jury, and continuing until in or about September 2017,
in Boston, in the District of Massachusetts, and elsewhere, the defendant,

GARY JAMAL WEBSTER, a/k/a “Jamal,”

did conspire with other persons known and unknown to the Grand Jury to knowingly and
intentionally distribute, and to possess with intent to distribute, a mixture and substance containing
a detectable amount of cocaine, a Schedule II controlled substance, and a mixture and substance
containing a detectable amount of N-phenyl-N- [1- (2-phenylethyl) -4-piperidinyl] propanamide,
also known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States
Code, Sections 841(a)(1).

It is further alleged that the offense charged in Count One involved 40 grams or more of a
mixture and substance containing a detectable amount of N-phenyl-N- [1- (2-phenylethyl) -4-
piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance.
Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(vi) is applicable to this Count.

It is further alleged that, with respect to Count One, 40 grams or more of a mixture and
substance containing a detectable amount of N-phenyl-N- [1- (2-phenylethyl) -4-piperidinyl]
propanamide, also known as fentanyl, a Schedule II controlled substance, was reasonably
foreseeable by, and is attributable to, GARY JAMAL WEBSTER, a/k/a “Jamal.” Accordingly,
Title 21, United States Code, Section 841(b)(1)(B)(vi) is applicable to defendant GARY JAMAL
WEBSTER, a/k/a “Jamal.”

All in violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(B)(vi).

COUNT TWO

Distribution of and Possession with Intent to Distribute Cocaine
(21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

On or about September 8, 2016, in Boston, in the District of Massachusetts, the defendant,

GARY JAMAL WEBSTER, a/k/a “Jamal,”

did knowingly and intentionally distribute and possess with intent to distribute, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE

Distribution of and Possession with Intent to Distribute Cocaine; Aiding and Abetting
(21 U.S.C. § 841(a)(1); and 18 U.S.C. § 2)

The Grand Jury further charges:

On or about September 22, 2016, in Boston, in the District of Massachusetts, the defendant,

GARY JAMAL WEBSTER, a/k/a “Jamal,”

did knowingly and intentionally distribute and possess with intent to distribute, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

COUNT FOUR

Distribution of and Possession with Intent to Distribute Cocaine
(21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

On or about September 29, 2016, in Boston, in the District of Massachusetts, the defendant,

GARY JAMAL WEBSTER, a/k/a “Jamal,”

did knowingly and intentionally distribute and possess with intent to distribute, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE

Distribution of and Possession with Intent to Distribute Cocaine
(21 U.S.C. §§ 841(a)(1))

The Grand Jury further charges:

On or about October 6, 2016, in Boston, in the District of Massachusetts, the defendant,

GARY JAMAL WEBSTER, a/k/a “Jamal,”

did knowingly and intentionally distribute and possess with intent to distribute, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIX

Distribution of and Possession with Intent to Distribute 40 Grams or More of Fentanyl;
Aiding and Abetting
(21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi); and 18 U.S.C. § 2)

The Grand Jury further charges:

On or about October 18, 2016, in Boston, in the District of Massachusetts, the defendant,

GARY JAMAL WEBSTER, a/k/a “Jamal,”

did knowingly and intentionally distribute and possess with intent to distribute, 40 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N- [1- (2-phenylethyl) -4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance.

It is further alleged that, with respect to Count One, 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N- [1- (2-phenylethyl) -4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance, was reasonably foreseeable by, and is attributable to, GARY JAMAL WEBSTER, a/k/a “Jamal.” Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(vi) is applicable to defendant GARY JAMAL WEBSTER, a/k/a “Jamal.”

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(vi), and Title 18, United States Code, Section 2.

DRUG FORFEITURE ALLEGATION
(21 U.S.C. § 853)

1. Upon conviction of one or more of the offenses in violation of Title 21, United States Code, Sections 841 and 846, set forth in Counts One through Six of this Superseding Indictment, the defendant,

GARY JAMAL WEBSTER, a/k/a "Jamal,"

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offenses; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendant -

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- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

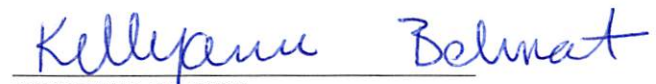
All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL


FOREPERSON


PHILIP A. MALLARD
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF MASSACHUSETTS

District of Massachusetts: OCTOBER 9, 2019
Returned into the District Court by the Grand Jurors and filed.


DEPUTY CLERK
10/9/19 @ 1:02pm